

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA


|                      |   |              |
|----------------------|---|--------------|
| TYESHA MILEY         | : | CIVIL ACTION |
|                      | : |              |
| v.                   | : |              |
|                      | : | NO. 16-4309  |
| PHILADELPHIA HOUSING | : |              |
| AUTHORITY            | : |              |
|                      | : |              |

**ORDER**

AND NOW, this 8<sup>th</sup> day of December 2016, upon consideration of Defendant's Motion to Dismiss (ECF Doc. No. 8), Plaintiff's Opposition (ECF Doc. No. 9), Defendant's Reply (ECF Doc. No. 14) and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant's Motion (ECF Doc. No. 8) is **GRANTED**:

1. Plaintiff's §1981, §1983 retaliation and state law claims are dismissed **with prejudice**; and,

2. Plaintiff's §1983 race discrimination *Monell* claim is dismissed **without prejudice** and with **leave to amend** to again attempt to plead a §1983 claim in a Second Amended Complaint filed on or before **December 16, 2016** or we will dismiss this claim with prejudice and close the case.

  
\_\_\_\_\_  
KEARNEY, J.